

Assembly Bill No. 2006

Passed the Assembly May 18, 2000

Chief Clerk of the Assembly

Passed the Senate July 6, 2000

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2000, at _____ o'clock ____M.

Private Secretary of the Governor

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CHAPTER _____

An act to amend Sections 6971, 6978, and 6979 of the Food and Agricultural Code, relating to citrus fruit trees, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2006, Dutra. Citrus fruit trees: special assessments.

Existing law imposes an annual assessment of 1% on citrus fruit trees produced and sold within the state, or shipped from the state, until January 1, 2001. Funds from the assessment are used to carry out certain programs of the Department of Food and Agriculture and the University of California concerning these trees and are continuously appropriated to the department for that purpose.

This bill would extend the repeal date of these provisions to January 1, 2006, and would require the advisory board, prior to January 10th of each year, or as soon thereafter as possible, to establish an annual assessment not to exceed 1 percent on the gross sales of citrus trees, as specified. Thus, the bill would make an appropriation by continuing the above continuous appropriation until January 1, 2006.

Existing law requires the Secretary of Food and Agriculture to appoint a board consisting of 7 members to assist and advise the secretary concerning the implementation of these provisions.

This bill would add an additional member to the board from the citrus fruit industry.

Appropriation: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 6971 of the Food and Agricultural Code is amended to read:

6971. (a) Prior to January 10th of each year, or as soon thereafter as possible, the advisory board shall establish an annual assessment not to exceed 1 percent on the gross



sales of all citrus fruit trees, except seedlings and rootstocks, produced and sold within the state or produced within and shipped from the state by any licensed nursery dealer during that dealer's applicable license period. This section does not apply to the sale of citrus fruit trees from one California producer to another.

(b) Gross sales shall be determined at the point of sale where the stock is sold to farmers for planting, to homeowners for dooryard planting, or to retailers or wholesalers for resale. The assessment shall only be levied and paid once on any particular plant.

(c) The secretary may set the assessment at a lower percent to cover the costs necessary to implement and carry out all department programs established pursuant to Article 7 (commencing with Section 5821) of Chapter 8 of Part 1 concerning the registration and certification of citrus fruit trees, the University of California clonal activities concerning citrus fruit trees, indexing, registration, and disease testing for new varieties and budwood sources, and other activities related to the development of planting materials for citrus fruit trees.

SEC. 2. Section 6978 of the Food and Agricultural Code is amended to read:

6978. The secretary, upon consultation with the citrus fruit tree nursery industry, shall appoint a board to assist and advise the secretary concerning the implementation of this article.

(a) The board shall consist of eight members, a majority of whom are licensed producers of citrus fruit tree nurserystock, and a minority of whom are users and a public member, as follows:

- (1) Five from citrus fruit tree nurseries.
- (2) Two from the citrus fruit industry.
- (3) One public representative.

(b) Each term shall be for two-years. Board members may serve more than one term.

(c) Board members shall represent all areas of the state involved in the production of citrus fruit trees.

(d) The board shall meet at least twice a year. The chairperson or the secretary may call any other meeting

when it is deemed necessary by one or both of them. Each member shall be allowed per diem and mileage in accordance with the rules of the Department of Personnel Administration for attending any meeting of the board.

(e) The board shall review and make recommendations to the secretary concerning the ongoing operations of the department and the University of California pertaining to this article. This shall include advice on expenditures, assessments needed to cover costs, and proposals concerning the development of planting materials.

SEC. 3. Section 6979 of the Food and Agricultural Code is amended to read:

6979. (a) This article shall become inoperative on April 10, 2005, and as of January 1, 2006, is repealed, unless a later enacted statute, which is enacted before January 1, 2006, deletes or extends that date.

(b) If the repeal date of this article is not extended beyond January 1, 2006, the final assessment levied pursuant to this article shall be due and payable on or before April 10, 2005.



Approved _____, 2000

Governor

